

Washington State Citizens Committee on Pipeline Safety
Meeting Minutes
Location: WUTC - Olympia, WA
March 15, 2005

Present

Carl Weimer, Chair
Katie Hansen, Vice Chair
Shirley Olson
Duane Henderson
Pete Kmet
Ken Thomas
Nate Moxley
Jim Clark
Leo Bowman
Grant Jensen
Chuck Mosher

Absent

George Hills
Richard Kuprewicz

Public present at the meeting

Dan Meredith, Cascade Natural Gas
Wil Ricard, Chevron Pipeline
Alan Rathbun, Washington Utilities and Transportation Commission
Tim Sweeney, Washington Utilities and Transportation Commission
Lindsay Marquez, Washington Utilities and Transportation Commission

Agenda:

1. Adoption of January 18, 2005 Meeting Minutes
 2. Review 3rd Draft of Committee Bylaws
 3. Public Comment
 4. Committee Work Session – Public Right to Know Issues and Next Steps
 5. WUTC Pipeline Safety Section Update
 6. Other Items of Business
-
1. **Adoption of January 18, 2005 Meeting Minutes** – The meeting was brought to order. The first item was to discuss the minutes from the January 18, 2005 meeting. The committee members moved to adopt the minutes, with one minor spelling edit.
 2. **Review 3rd Draft of Committee Bylaws** – The committee reviewed and discussed the 3rd draft of the bylaws. They discussed revisions to sections 2 (Membership) and 12 (Budget). Staff will revise and re-send the final draft via e-mail to the committee members. The committee discussed the subject of what happens when consensus is not reached. They decided that dissenting opinions should be recognized in committee opinions, letters, or testimony at legislative hearings. The committee expressed the need to reflect this in the bylaws. Staff will work with the Chair and Vice Chair on the revisions to the bylaws. The committee moved to discuss the draft bylaws, with the new revisions, at their next meeting in May.

It was also noted that committee members would like to review any materials with as much notice as possible before the committee meeting if a decision needs to be made. This is in order for the members that are elected officials to bring the item back to their city or county for consideration.

3. **Public Comment** – Wil Ricard, with Chevron Pipeline in Pasco Washington wondered how the eastside of Washington was represented on the committee. Chair Weimer informed him that committee members Chuck Mosher (Wenatchee) and Commissioner Leo Bowman (representing Benton County) are from the eastside of Washington. Mr. Ricard hoped that the committee would keep considering the issue of damage prevention and especially how farmers in Eastern Washington impact underground utilities. He stated that farmers do not consider tilling or other farming activities digging, even if they go as deep as 18 inches. Mr. Ricard identified that this is a big concern for pipeline companies in Eastern Washington.
4. **Committee Work Session – Public Right to Know Issues and Next Steps** –Chair Carl Weimer outlined that the morning session would be used to brainstorm a list of pipeline data that communities have a right to know. The committee reviewed an existing list that Chair Weimer provided and after discussion, the committee decided to keep everything on the list and add the subject of “Near Misses”. The Chair said that he would work on drafting a description of what type of near miss information should be provided to the public. A related pipeline safety item, siting (by EFSEC/FERC) of new facilities and future construction projects, was also added to the list.

The next step for the committee is to review how much of this information is already available and from whom, how easily accessible is it (is it on the web or does one have to request the data?), and how easily it is understood by the general public. WUTC staff will perform analysis of this list against the review criteria and will come back with that information at the next meeting in May. The following is the list of pipeline information that the committee feels that the public has the right to know about pipelines:

 - Incident and accident information
 - Enforcement activities
 - Ownership
 - Inspection and repair
 - Mileage
 - Basic pipeline information – purpose of pipeline, size, year installed, etc.
 - Pipeline company contact information – for emergencies or general questions.
 - Maps
 - Spill preparedness and response
 - Safety reports
 - Financial data
 - Pipeline management – historical list of major management changes, their assessment of current risks and how they manage emergency situations and adequate control.
 - Environmental information
 - Emergency information
 - Property owner information
 - State by state information
 - Near miss information (damage prevention)
 - Siting of new pipeline facilities and new construction
5. **WUTC Pipeline Safety Update** – Alan Rathbun, WUTC Pipeline Safety Director, gave an update on the current events in the pipeline safety section.

Update on Call Before You Dig legislation:

HB 1539 and SB 5456 were companion filings proposed by Olympic Pipeline to strengthen the enforcement of call before you dig requirements (RCW 19.122) as it relates to transmission pipelines. Committees in each house held hearings and each Committee passed the respective bills out with amendments. Bills must be passed by their house of origin by March 16. Status of these bills are as follows:

SSB 5456 – This bill makes it a misdemeanor to dig within 35 feet of a transmission pipeline without notification to the one call center. It is a gross misdemeanor if that excavation within 35 feet damages the pipeline. Violators are also subject to a civil penalty of no more than \$10,000 per offense. This bill is awaiting action by the entire Senate.

ESHB 1539 – This bill makes it a gross misdemeanor to excavate within 50 feet of a transmission pipeline. Violators are also subject to a civil penalty not to exceed \$10,000 per offense. This bill passed the House unanimously and will now go to the Senate for a committee hearing.

An outline on how a bill becomes a law (legislative process) was distributed as a reference.

Request for Pipeline presentation by Representative Morris, Chair of Technology, Energy and Communications:

Chairman Morris had requested a presentation to his Committee on the Pipeline Safety program. No meeting has been scheduled and it is unknown whether we will be invited or not. If a meeting is scheduled, we would like to have representation from the Citizens Committee.

New Appointments of Commissioners:

Governor Gregoire has appointed Mark Sidran and Philip Jones to the Commission. Chairman Sidran's first day as Chair of the Commission will be March 16. Commissioner Jones has been on board for approximately two weeks. Copies of their biographical information were distributed.

WUTC Meeting with Japan Gas Association:

On February 28, representatives of the WUTC Pipeline Safety program and Commissioner Jones met with representatives of the Japan Gas Association (JGA). JGA requested the meeting to hear of our experience in public awareness/pipeline safety. Their association generally represents local distribution companies (LDC) in Japan. Staff from Tokyo Gas (5 million customers) and Osaka Gas (3 million customers) were represented in the JGA delegation. We invited representatives from PSE, Northwest Gas Association and Duke Energy (British Columbia) to share their experience related to public awareness. In addition to sharing the Pipeline Safety regulatory model for Washington, WUTC staff shared our experience related to the findings from the Frause study and a brief summary of API 1162.

Williams Pipeline – Amended Corrective Action Order Update:

The Draft Environmental Impact Statement (DEIS) has been issued on Williams Capacity Replacement Project. This document is prepared by FERC with the cooperation of U.S. Army Corp of Engineers and Washington State Department of Ecology. The project is designed to replace the natural gas capacity lost through the OPS Corrective Action Order related to Williams 26-inch pipeline, which runs from Sumas to Washougal. This project proposes to build approximately 79 miles of 36-inch diameter pipeline and enhance several compressor stations along the corridor. Public hearings on this DEIS are scheduled for April 11 in Arlington, April 12 in Redmond and April 13 in Yelm.

BP Olympic Update:

Staff from BP Olympic and WUTC met with OPS Western Region in February to review Olympic's workplan for 2005. Olympic is approaching the successful completion of all requirements under the OPS Corrective Action order issued following the Bellingham incident. It is anticipated that Olympic will petition OPS for a return to 100% operating pressure sometime in early 2006.

Bellevue Explosion and House Fire:

A pre-hearing conference was held March 15, 2005, to establish a schedule of future actions in this matter, which is under Commission Order. PSE continues its project to replace steel main and services in the Spiritridge neighborhood impacting approximately 600 homes. In accordance with the Commission Order (Action Plan) a study of the condition of the steel pipe coating is in progress and is scheduled for completion in May. The metallurgical analysis on the failed pipe section by PSE's consultant is complete and being reviewed by WUTC staff and WUTC's consultant.

WUTC Gas Safety Rules:

The comment period on the WUTC proposed gas safety rules has passed. A hearing to consider adoption of the proposed rules has been rescheduled to March 31. This was delayed from the previously scheduled date to accommodate the transition of the two new commissioners.

Land Use Practices around Transmission Pipelines:

The Ad Hoc Working Group met in February to continue work in the action plan that resulted from last year's workshops on land use. Significant progress is being made in the seven-item action plan:

1. Define the scope of work
2. Define the standards for activity on pipeline easements
3. Produce a family of perspective papers on land use around transmission pipelines (operator, local government)
4. Inventory current best permitting practices
5. Engage a broader range of stakeholders in the solutions
6. Develop basic guidelines for local governments, incorporating into regulations where and when appropriate
7. Conduct 4 follow-up regional workshops in the fall of 2005

The next meeting is scheduled for mid to late May.

WUTC Natural Gas Seminar:

On May 24-26, the Pipeline Safety Section along with the Transportation Safety Institute (part of DOT) will conduct a natural gas seminar in Yakima. All interstate and intrastate operators have been invited. Each has also been asked to submit recommendations on agenda topics.

6. Other Items of Business – Committee member Chuck Mosher attended a meeting of the National Association of State Fire Marshals. The Association has a committee that discusses hydrogen economy and hydrogen powered vehicles. One of their focuses is the potential impact on public safety.
- The committee discussed the issue of where to hold their 2005 meetings. Committee members felt it is very important for a meeting to be held in Eastern Washington. Committee member Leo Bowman offered to host a meeting in the Tri-Cities area. This meeting on the eastside will occur in either May or September 2005.

The meeting adjourned at 2:50 p.m.